

## JOURNAL OF THE HOUSE.

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Monday, October 23, 2006.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

God, Our Creator, Our Source of Hope and Truth, at the beginning of this workweek, we pause for a moment to ask for Your assistance in our decision-making process. Help us to organize and arrange correctly our agenda for the day and week. As elected leaders in search of right, just and ethical choices, inspire us to develop critical reasoning skills in dealing with people and their often complex issues, needs and concerns. Teach us to recognize and respect the dignity, rights and values, human and religious, of all people.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

### *Message from the Governor — Veto.*

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill granting creditable service to certain members of the Cambridge retirement system [see House, No. 4460] (for message, see House, No. 5323) was filed in the Office of the Clerk on Friday, October 20.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next sitting, the question being on passing the bill, notwithstanding the said objections.

### *Appointments to a Special Commission.*

The Speaker announced that he had appointed Representatives Harkins of Needham, St. Fleur of Boston, LeDuc of Marlborough, Lantigua of Lawrence and Speranzo of Pittsfield to the special commission established (pursuant to section 363 of chapter 149 of the Acts of 2004, as amended by section 56 of chapter 122 of the acts of 2006) to make an investigation and study of middle education in the Commonwealth.

### *Resolutions.*

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Messrs. Atsalis of Barnstable and Turner of Dennis) on the occasion of Jim Hoben receiving the sixth annual Public Service Award from the Yarmouth Chamber of Commerce;

Immigrants  
Assistance  
Center.

Resolutions (filed by Mr. Cabral of New Bedford) celebrating the thirty-fifth anniversary of the Immigrants' Assistance Center, Inc. of New Bedford;

William  
Thomas  
Ashton.

Resolutions (filed by Ms. Flanagan of Leominster) congratulating William Thomas Ashton on receiving the Eagle Scout Award of the Boy Scouts of America; and

Thomas G.  
Robbins.

Resolutions (filed by Ms. Stanley of West Newbury) congratulating Colonel Thomas G. Robbins on the occasion of his retirement;

Mr. Petrolati of Ludlow, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Smizik of Brookline, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

#### *Papers from the Senate.*

Correctional  
facilities,  
inspection  
reports.

Reports of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspections of certain correctional facilities, as follows:

Of the Barnstable County Correctional Facility, in the town of Bourne;

Of M.C.I. Plymouth, in the town of South Carver; and

Of the Suffolk County House of Correction, in the city of Boston;

Severally were spread upon the records of the House; and returned to the Senate.

Rockland,  
liquor  
license.

A petition (accompanied by bill, Senate, No. 2730) of Michael W. Morrissey and Robert J. Nyman (by vote of the town) for legislation to authorize the town of Rockland to issue an additional license for the sale of all alcoholic beverages not to be drunk on the premises, was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.

#### *Reports of Committees.*

Bunker Hill  
Community  
College.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill authorizing certain borrowing by Bunker Hill Community College (Senate, No. 2729) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. O'Flaherty of Chelsea, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of the same member, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed, in concurrence.

Charles  
River.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill to create a Charles River water

quality commission (House, No. 4683) be scheduled for consideration by the House for a second reading, with amendments previously recommended by the committee on Ways and Means pending.

Under suspension of Rule 7A, on motion of Ms. Wolf of Cambridge, the bill was read a second time forthwith.

The amendments recommended by the committee on Ways and Means then were adopted; and the bill (House, No. 4683, amended) was ordered to a third reading.

Mr. Scaccia of Boston, for the committee on Rules, on House Order No. 5001, reported, in part, a Bill relative to voter registration for program participants (House, No. 65). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Voter  
registration  
program.

#### *Engrossed Bill.*

The engrossed Bill relative to the Massachusetts Insurers Insolvency Fund (see House, No. 5216, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill  
enacted.

#### *Motion to Discharge the Committee on Rules.*

Before proceeding to consideration of the Orders of the Day, Mr. Peterson of Grafton moved that the committee on Rules be discharged from further consideration of the House Order relative to the suspension of Joint Rule 12A to permit the General Court to meet in formal sessions for the purpose of considering and taking action on certain matters (House, No. 5322); and the motion to discharge was negatived.

General  
Court,  
formal  
sessions.

#### *Orders of the Day.*

The Senate Bill establishing the Freedom's Way Heritage Area and Commission (Senate, No. 1852, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Third  
reading  
bill.

The House Bill relative to the payment of pensioners for services after retirement (House, No. 263) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

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The Senate Bill relative to rates of pilotage for the port of Boston (Senate, No. 2391, amended) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Pilotage  
rates.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. Smizik of Brookline moved that it be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5324.

The amendment was adopted; and the bill (Senate, No. 2391, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

*Order.*

On motion of Mr. DiMasi of Boston,—

Next  
sitting.

*Ordered,* That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

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At twenty-four minutes after eleven o'clock A.M., on motion of Mr. Koutoujian of Newton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.